

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.) Case No. 4:15-cr-49-CDP
)
 NIHAD ROSIC,)
)
 Defendant.)

**DEFENDANT'S UNOPPOSED MOTION TO MODIFY CONDITIONS OF
RELEASE**

Defendant, Nihad Rosic, through his attorney, Rachel Korenblat requests the Court modify his conditions of release by replacing Mr. Rosic's home incarceration condition with a condition of home detention so that he can seek and maintain employment. Government counsel does not oppose this request.

On January 6, 2023, this Court ordered Mr. Rosic released from custody on a petition alleging a violation of the terms of his supervised release. Dkt. Nos. 764-65. This Court released Mr. Rosic on an unsecured bond with stringent conditions of release, which includes that Mr. Rosic must abide by home incarceration. *Id.* Under home incarceration, Mr. Rosic has been restricted to his mother's home 24-hours-a-day except for medical necessities and court obligations, approved by his Pretrial Officer. Dkt. No. 765 at p. 2. Mr. Rosic is also subject to location monitoring to assure compliance with his home incarceration condition. At the time the Court ordered

these conditions of release, Mr. Rosic had an upcoming revocation hearing on January 23, 2023 for the supervised release petition. *Id.* at p. 1.

Given the volume of the discovery in this case, which a lot of it is in a foreign language, as well as other complexities, defense counsel sought a continuation of the revocation hearing on a conference call with the District Court and government counsel. The District Court granted the defense's request and reset Mr. Rosic's revocation hearing is set for July 17, 2023. *See* Dkt. No. 767.

Given that the hearing is now several months away, Mr. Rosic is seeking a modest modification of his conditions so that he can seek and maintain employment. On top of supporting himself, Mr. Rosic has court-ordered child support obligations out of New York State, which he has been unable to pay due to being confined and now his home incarceration condition. Additionally, a St. Louis County Judge ordered Mr. Rosic continue to pay expenses for F.P., the alleged victim in this case, such as rent and utilities, pursuant to an ex parte order of protection F.P. filed against Mr. Rosic.

Mr. Rosic needs to earn money so he can comply with both court orders, as well as support himself and seek legal advice with respect to the order of protection. To do so, he needs to find work. The defense understands that, as of now, Mr. Rosic's prior employment as an out-of-state truck driver is not feasible while he is on location monitoring. As a result, he is currently requesting the ability to find a local job so that he can earn money to support himself, pay his child support, comply with the St.

Louis County court order, and seek legal advice regarding his other court-related matters.

Conclusion

Based on the above, this Court should modify Mr. Rosic's conditions of release by replacing his home incarceration condition with home detention, which would allow him to leave his residence for employment purposes as approved by his Pretrial Services Officer.

Dated: January 20, 2023

Respectfully submitted,

/s/ Rachel Korenblat

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Attorney for Defendant

CERTIFICATE OF SERVICE

Assistant Federal Public Defender Rachel Korenblat certifies that she caused Defendant's Motion to Modify Conditions of Release to be filed electronically with the Clerk of the Court, to be served by operation of the Court's electronic filing system upon Assistant United States Attorney, Matthew Drake.

Dated: January 20, 2023.

/s/ Rachel Korenblat

